IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

TUESDAY, THE TWENTY EIGHTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

HON'BLE SRI DEVINDER GUPTA,

CHIEF JUSTICE

and
HON'BLE SRI JUSTICE M.NARAYANA REDDY

WRIT APPEAL NO : 2151 of 2004

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 21/12/2004 in WP NO : 23239 OF 2004 on the file of the High Court.)

Between:

Chirala Cable Centre Pvt. Ltd.,

23-2-12/13, Gattuvari Street,

Chirala, Prakasham District, rep.

By its Chairman & Managing

Director, Daggupati Srinivas Prasad.

..... APPELLANT

AND

1. The Divisional Engineer (Central), South Central Railway, Vijayawada.

2. The Divisional Railway Manager, Works Branch, South Central

Railway, Vijayawada.

3. Superintendent Engineer (P-Way), South Central Railway, Chirala.

.....RESPONDENTS

Counsel for the Appellant : MR.SUDARSHAN REDDY DUDDUGUNTA

Counsel for the Respondents : MR.G.S.SANGHI

The Court made the following :

ORAL JUDGMENT:

(per Hon'ble The Chief Justice)

…..

1 . Learned single Judge dismissed the writ petition filed by the appellant questioning the action of the respondents in making demand towards charges payable for the permission for laying cable wires through railway track. This is purely a civil matter. Nothing prevented the appellant from depositing the amount and then claim any refund by filing civil suit. In case amount is paid

within a period of one week from today, status quo for a period of one week shall continue to remain in operation.

2. Writ appeal fails and is dismissed. No costs.

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DEVINDER GUPTA. C.J.,

_____

M. NARAYANA REDDY. J.,

Dated: 28.12.2004.

VRK.

To

1. The Divisional Engineer (Central), South Central Railway, Vijayawada.
2. The Divisional Railway Manager, Works Branch, South Central Railway, Vijayawada.
3. The Superintendent Engineer (P-Way), South Central Railway, Chirala,

Prakasam District.

4. Two CD copies.

HON'BLE SRI DEVINDER GUPTA,

CHIEF JUSTICE

AND

HON'BLE SRI JUSTICE M. NARAYANA REDDY.

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W.A.NO. 2151 OF 2004.

(Judgment of the Bench delivered by

Hon'ble The Chief Justice)

Dt: 28.12.2004.